

REMARKS

After entry of the instant Amendment, claims 1, 3, 4, 12-45, 47-51, and 52-55 remain in the application with claims 1, 23, 33, and 43 in independent form. Independent claim 1 has been amended to incorporate the elements of dependent claim 8 therein. In particular, independent claim 1 has been amended to specify that the paint composition is a water-based latex composition. Independent claims 23, 33, and 43 have been amended in the same manner as claim 1. Dependent claims 4, 12, 13, 16, 18, 26, 35, 36, 44, 45, 48-50, and 53 have been amended for consistency purposes to claim the paint composition as a water-based latex composition. Claims 5-7 have been cancelled as directed to redundant claim scope that is covered through either independent claim 23 or independent claim 33 due to the amendment to claim 1. Claims 8-11 are also cancelled in view of the amendment of claim 1 that incorporates the elements of claim 8 therein. Claim 52 is presently cancelled due to the amendment to independent claim 43 to specify that the paint composition is a water-based latex composition. Claims 2 and 46 were previously cancelled. No claims are presently added. No new matter has been added through the present Response.

Claims 1, 3, 9, 12, 13, 16, 17, 21, 22, 43, 44, 45, 47, and 52-55 stand rejected under 35 U.S.C. §102(b) as being anticipated by Horacek et al. (USPN 4,389,454). Claims 4-8, 10, 11, 13, 15, 18-20, 23-42, and 48-51 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Horacek et al. alone. The Applicants respectfully submit that, in view of the amendments to independent claims 1 and 43, the rejections of these claims under 35 U.S.C. §102(b) are overcome, as are the rejections of the dependent claims under 35 U.S.C. §102(b) over Horacek et al. In other words, independent claim 1 has been amended to

incorporate the elements claimed in original claim 8, and independent claim 43 has been amended in the same manner as claim 1. Original claim 8 was not rejected under 35 U.S.C. §102. As such, the only remaining rejections are those under 35 U.S.C. §103(a) that rely on Horacek et al. alone, which the Applicants respectfully traverse through the paragraphs below.

The Applicants refrain from providing a lengthy synopsis of the relevant standards for weighing obviousness as such standards apply to the instant case. In fact, as reflected in the accompanying Interview Summary, obviousness of the instant claims as amended has already been discussed and an agreement was reached with Examiner Lee that the instant claims are not obvious in view of Horacek et al. To explain, Horacek et al. teaches molded polyurethane parts that have a lightfast polyurethane skin. The lightfast polyurethane skin is formed by applying a reaction mixture comprising a polyisocyanate, a polyol, and other components to the inside wall of a molding tool (see the Abstract of Horacek et al.). Once the lightfast polyurethane skin has solidified, a foamable polyurethane is introduced into the molding tool to produce a molded part in a very short cycle time (see column 3, lines 2-6 of Horacek et al.). One of the other components that is included in the reaction mixture that is used to form the lightfast polyurethane skin is an alkali metal hydroxide such as sodium hydroxide (see column 7, line 9 of Horacek et al.). As is apparent from the above, and with further reference to column 2, line 52 to column 3 line 6, fast solidification or cure of the lightfast polyurethane skin is the focal point of the invention described in Horacek et al. The fast cure of the lightfast polyurethane skin provides many advantages including short cycle times, resistance of the reaction mixture to running off the

side walls of the molding tool, etc. In this regard, it is notable that the alkali metal hydroxides are disclosed in Horacek et al. as a catalyst that can be included in the reaction mixture that is used to form the lightfast polyurethane skin **to greatly accelerate the reaction of the polyols and the isocyanates therein** (see column 6, line 45 to column 7, line 20). As such, it is clear that the **only** purpose for including the alkali metal hydroxide in the reaction mixture used to form the lightfast polyurethane skin in Horacek et al. is to accelerate the reaction between the polyol and the isocyanate therein. Also notable is the fact that water is **not** present in the reaction mixture that is used to form the lightfast polyurethane skin of Horacek et al. As known in the art, any water present in such a composition would undergo a blowing reaction with the isocyanate contained in the reaction mixture and would result in a foamed structure of the lightfast polyurethane skin rather than an elastomeric (non-foamed) skin, which is clearly undesirable in the context of Horacek et al.

It is notable that, in the context of the instant independent claim 1, the alkali metal hydroxide is infused in the water-based latex compositions that are used to form the paint layer. As readily known in the art, a latex is any emulsion in water of finely divided particles of synthetic rubber or plastic. Water-based latex compositions as claimed herein are clearly **not** reaction mixtures akin to the reaction mixtures used to make the lightfast polyurethane skins of Horacek et al. To further highlight this fact, it is noted that the alkali metal hydroxide is **not** included in the water-based latex compositions of the instant invention for purposes of catalyzing a reaction therein, but is rather included to promote adhesion between the paint layer formed from the water-based latex composition and a polyurethane

composition that is applied thereto to form a polyurethane layer (refer to paragraph [0008] on pages 2 and 3 of the original application as filed). In this regard, excellent adhesion is achieved between the paint layer and the polyurethane layer.

Due to the differences between the purposes for which the alkali metal hydroxides are included in the reaction mixtures used to form the lightfast polyurethane skins of Horacek et al. and the purposes for which the alkali metal hydroxides are included in the water-based latex compositions in accordance with the instant claims, the Applicants respectfully submit that one of skill in the art would not have reasonably been expected to have been able to arrive at the instant invention based on the teachings of Horacek et al. alone. In particular, without a polyol and isocyanate in the water-based latex compositions of the instant claims, there would be no reason, based on the teachings of Horacek et al., to include alkali metal hydroxides in such compositions. As set forth above, Examiner Lee has already recognized the Applicants' position in this regard and expressed his agreement that it would **not** be obvious to include alkali metal hydroxides in the instantly claimed water-based latex compositions based on the teachings of Horacek et al.

In view of the foregoing, the Applicants respectfully submit that independent claim 1, as well as the claims that depend therefrom, is both novel and non-obvious over Horacek et al. such that this claims is in condition for allowance. Independent claims 23, 33, and 43, while containing different elements than independent claim 1, still claim the same essential elements of claim 1 that provide the basis for differentiation from the teachings of Horacek et al. As such, the Applicants respectfully submit that independent claims 23, 33, and 43, as

well as the claims that depend therefrom, are both novel and non-obvious over Horacek et al.

This Amendment is filed with the appropriate fee for a one-month extension of time. While it is believed that no further fees are presently due, the Commissioner is authorized to charge our deposit account no. 08-2789 for any additional fees or credit the account for any overpayment.

Respectfully submitted,

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